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20 LSI CORPORATION and Counterclaimant
21 AGERE SYSTEMS INC.

22 **SANDISK CORPORATION,**

23 Case No. C09-02737 WHA

24 **Plaintiff,**

25 **STIPULATED REQUEST TO**
26 **CONTINUE CLAIM CONSTRUCTION**
27 **TUTORIAL AND [PROPOSED] ORDER**

28 v.

17 **LSI CORPORATION,**

18 **Defendant.**
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Judge: Hon. William Alsup
Courtroom 9, 19th Floor
Date Filed: June 19, 2009
Trial Date: November 8, 2010

17 **LSI CORPORATION AND AGERE**
18 **SYSTEMS INC.,**

19 **Counterclaimants,**

20 v.

21 **SANDISK CORPORATION,**

22 **Counterdefendant.**

1 Pursuant to Civil L.R. 6-2 and Civil L.R. 7-12, Plaintiff-Counterdefendant SanDisk
2 Corporation (“SanDisk”) and Defendant-Counterplaintiff LSI Corporation and Counterplaintiff
3 Agere Systems, Inc. (collectively, “LSI”), through their respective counsel, hereby make the
4 following Stipulated Request for an Order to change the scheduling of the Court’s Claim
5 Construction Tutorial.

6 WHEREAS, on September 25, 2009, the Court issued the “Case Management Order and
7 Reference to ADR Unit for Mediation” (Dkt. No. 52) scheduling February 25, 2010 at 1:30 p.m.
8 as the date and time for the Court’s Claim Construction Tutorial and March 11, 2010 at 1:30 p.m.
9 as the date and time for the Claim Construction Hearing.

10 WHEREAS, Jones Day, the firm representing SanDisk, will be conducting its firm-wide
11 partnership meeting on February 25-28, 2010 in Florida. The partnership meeting is held only
12 once every two years, and includes the more than 700 world-wide partners of the firm. While the
13 meeting was originally scheduled to begin on February 26, 2010, lead counsels for SanDisk,
14 Tharan Gregory Lanier and Gregory L. Lippetz, learned for the first time on October 26, 2009,
15 that they were required to attend meetings scheduled for February 25, 2010, the same day as the
16 tutorial.

17 WHEREAS, LSI’s counsel does not object to the rescheduling of the Court’s Claim
18 Construction Tutorial.

19 WHEREAS, subject to the Court’s availability, SanDisk and LSI propose the following
20 alternative dates that the parties are available to attend the Claim Construction Tutorial: Monday,
21 March 1, Tuesday, March 2, Wednesday, March 3. Lead counsel for LSI is unavailable on
22 Thursday, March 4.

23 WHEREAS, this Stipulation will not affect other dates in the case schedule, including the
24 Claim Construction hearing that is scheduled for March 11, 2010.

25
26 **THE PARTIES HEREBY STIPULATE AND PROPOSE THAT:**

27 The Court’s Claim Construction Tutorial shall be continued to March 1st, 2nd, or 3rd,
28 2010.

1 Dated: January 25, 2010

JONES DAY

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By: /s/ Joe C. Liu
Joe C. Liu

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Attorneys for Plaintiff
SANDISK CORPORATION

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8 In accordance with General Order No. 45, Section X(B), the above signatory attests that
9 concurrence in the filing of this document has been obtained from the signatory below.

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Dated: January 25, 2010

THOMPSON & KNIGHT LLP

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By: /s/ Jane Politz Brandt
Jane Politz Brandt

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Attorneys for LSI CORPORATION AND
AGERE SYSTEMS INC.

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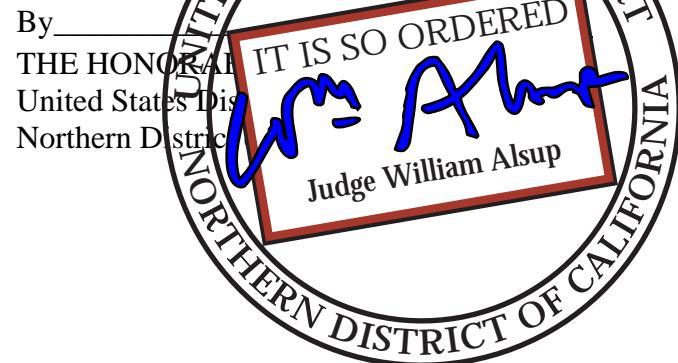
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1 **[PROPOSED] ORDER**
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3 Pursuant to the Stipulation above, the Court hereby continues the Claim Construction
4 Tutorial to **1:30 P.M. ON MARCH 3, 2010.**
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Dated: January 26, 2010.



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